

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cr. No. 24-20043-JPM

AUSTIN LINEBACK,

Defendant.

MOTION FOR EXAMINATION OF DEFENDANT PURSUANT TO 18 U.S.C. § 4241

Comes now the defendant, Austin Lineback, by and through his counsel, Needum L. Germany, and moves this Honorable Court to order that the defendant be examined at the nearest Federal Medical Facility, to determine his competency.

Title 18 U.S.C. §4241(a) provides that:

At any time after the commencement of a prosecution for an offense and prior to the sentencing of the defendant, the defendant or the attorney for the government may file a motion for a hearing to determine the mental competency of the defendant. The court shall grant the motion, or shall order such a hearing on its own motion, if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

In this case, during a recent meeting and through correspondence, it has become readily apparent to counsel that Mr. Lineback is currently suffering from mental health problems. It was nearly impossible for counsel to effectively communicate with Mr. Lineback due to his current condition. In counsel's considered judgment, there is reasonable cause to believe that Mr. Lineback may presently be suffering from a mental disease or defect rendering him mentally

incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Counsel has contacted counsel for the government, Lynn Crum, Assistant United States Attorney, who has no objection to this request.

WHEREFORE, PREMISES CONSIDERED, undersigned counsel respectfully requests that defendant Austin Lineback, pursuant to 18 U.S.C. § 4241, be transferred by the United States Marshals to the nearest Medical Facility for a mental examination pursuant to 18 U.S.C. § 4241, in order to determine his current state of mental health, and to determine what medications would best control his symptoms, in order that he may assist counsel in preparation of his defense.

Respectfully submitted,

DORIS RANDLE-HOLT
FEDERAL DEFENDER

s/ Needum L. Germany
Assistant Federal Defender
200 Jefferson Avenue, Suite 200
Memphis, TN 38103
(901) 544-3895

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was forwarded by electronic means via the Court's electronic filing system to Lynn Crum, Assistant U.S. Attorney, 167 N. Main, Suite 800, Memphis, TN 38103.

This 24th day of April, 2024.

s/ Needum L. Germany
Assistant Federal Defender